

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

MAKINI JACKSON,

Plaintiff,
vs.

Case No. 2:18-cv-11199-BAF-JJCG
Hon. Bernard A. Friedman
Mag. Jonathan J.C. Grey

GENESEE COUNTY ROAD COMMISSION,

Defendants.

LEWIS & MUNDAY, P.C.
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MOTION FOR ENTRY OF STIPULATED ORDER

NOW COMES Defendant Genesee County Road Commission (hereinafter “GCRC”), by and through its attorneys, Kirk, Huth, Lange & Badalamenti, PLC, and for its Motion for Entry of Stipulated Order, submits as follows:

1. On Sunday, January 29, 2023, Defendant’s filed a Stipulated Proposed Order Regarding Defendants Motions in Limine not ruled upon at **ECF No. 57**, following counsel for the parties’ mutual agreement and stipulation. However, Plaintiff’s counsel failed to timely respond to

Defendant's request for consent for signature and entry. Therefore, Defendant's filed the Proposed Stipulated Order under the Seven-Day Rule L.R.58.1, at ECF No. 61.

2. At commencement of trial in this matter on January 31, 2023, counsel for the parties addressed the issue and mutually agreed to the Stipulated Proposed Order for entry on the record at ECF No. 72, PageID. 1463:

MS. BADALAMENTI: The other thing is, for your case manager, we submitted an order with a notice, a seven-day notice.

THE COURT: We saw it.

MS. BADALAMENTI: We're withdrawing it.

THE COURT: Oh, okay.

MS. BADALAMENTI: We have a stipulation now, and we are going to submit the stipulated order. So there's an order on all the motions in limine now that you will have, that my secretary will be uploading shortly.
[...]

THE COURT: You're withdrawing the other one?

MS. BADALAMENTI: Yes, we're withdrawing it, Judge.

THE COURT: Okay. Perfect. We were going to ask you to do that.

3. However, since Defendant's withdrawal of its Notice of Entry, at ECF No. 65, this Court's docket does not reflect entry of the Proposed Stipulated Order Regarding Defendants Motions in Limine.
4. All parties having already stipulated to the entry of this Proposed Order, having relied upon the entry of the Order in carrying out Trial in this matter, and for the purposes of maintaining a clear record in the

event of an appeal in this matter, entry of the Stipulated Proposed Order Regarding Defendants Motions in Limine is appropriate.

WHEREFORE, Defendant Genesee County Road Commission respectfully request this Court (A) Grant this Motion and (B) Enter the Proposed Stipulated Order Regarding Defendants Motions in Limine, and (C) Grant such other relief as may be appropriate.

Respectfully Submitted,

KIRK, HUTH, LANGE & BADALAMENTI, PLC

s/Raechel M. Badalamenti

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Dated: March 7, 2023

CERTIFICATE OF SERVICE

I hereby certify that on March 7, 2023, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following: DAVID J. CROSS (P42683) and RONDA T. TRUVILLION (P70767).

s/Victoria L. Padula

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